

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

FENNER INVESTMENTS, LTD.

PLAINTIFF,

V.

**CELLCO PARTNERSHIP d/b/a
VERIZON WIRELESS,
METROPCS COMMUNICATIONS,
INC., METROPCS WIRELESS, INC.,
and METROPCS TEXAS, LLC,**

DEFENDANTS.

CIVIL ACTION NO. 6:11-cv-348

JURY TRIAL

STIPULATION OF DISMISSAL WITH PREJUDICE AS TO METROPOLIS

Pursuant to Fed. R. Civ. P. 41, the parties to this case have resolved their respective claims and therefore stipulate to the dismissal with prejudice of all claims of Plaintiff Fenner Investments, Ltd. (“Fenner”) against Defendants MetroPCS Communications, Inc., MetroPCS Wireless, Inc., and MetroPCS Texas, LLC (“MetroPCS”) and all claims of MetroPCS against Fenner. All attorneys’ fees, costs of court and expenses shall be borne by each party incurring the same. The parties agree that the Agreed Protective Order (“PO”) shall remain in effect following the dismissal of this case and that any post-dismissal disputes regarding any alleged PO violations shall be resolved by the Eastern District of Texas, Tyler Division.

DATED: April 12, 2013.

Respectfully Submitted,

LOEWINSOHN FLEGLE DEARY, L.L.P. McKOOL SMITH, P.C.

/s/ Jim L. Flegle

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INC., METROPCS WIRELESS, INC.,
and METROPCS TEXAS, LLC**

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically on April 12, 2013, in compliance with the Court's Standing Order Designating Case for Enrollment in the Electronic Case Files "ECF" System and has been served on all counsel who have consented to electronic service and all other counsel by regular mail.

/s/ Jim L. Flegle